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Paper No. 6

SCOTT A HEIMERMANN
C/O JOAN HEIMERMANN
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COPY MAILED

DEC 03 2003

OFFICE OF PETITIONS

In re Application of
Scott Heimermann and
Stephen Danforth
Application No. 09/934,411
Filed: August 21, 2001
Title: FULLY AUTOMATED,
REQUISITION-DRIVEN, COMPETING
AUTHORIZED SUPPLIERS, WEB
SITE-BASED, REAL-TIME,
REVERSE-AUCTION, CENTRALIZED
E-PROCUREMENT SYSTEM FOR
GOVERNMENT, WITH BIFURCATED
INTERNAL AND EXTERNAL MODULES,
REQUISITION POOLING, ORDER
FORMULATION AND MANAGEMENT,
CONSOLIDATED IN-BOUND SHIPMENT AND
DISTRIBUTED J.I.T. DELIVERY,
PROCUREMENT-NEEDS PREDICTION,
CENTRALIZED CATALOG MANAGEMENT AND
NUMEROUS ADDITIONAL FEATURES

DECISION NOTING
JOINDER OF INVENTOR
AND PETITION UNDER
37 CFR 1.47(A) MOOT

This is in response to the "Request by Joint Inventors Scott A. Heimermann and Stephen Danforth for Reconsideration of Decision Refusing Status Under \$1.47(a)," filed December 1, 2003 (Certificate of Mailing dated November 24, 2003).

The petition is **DISMISSED** for involving a moot issue.

The above-identified application was filed on August 21, 2001, with a declaration bearing signatures for joint inventors Scott A. Heimermann and Stephen Danforth. Together with the filing of the application, applicant filed a petition to have joint inventor Stephen Danforth make the application for patent on behalf of joint inventor Scott A. Heimermann. Because the petition stated that Heimermann could not sign the declaration and could not be reached, it was concluded that Heimermann himself did not sign the declaration, but rather it was executed

by his wife, Joan Heimermann. The petition was dismissed in a decision mailed on October 16, 2003.

On renewed petition, petitioner states that the application as originally filed was properly executed by both of the joint inventors. In other words, Joan Heimermann did not sign the application on behalf of Scott A. Heimermann. According to petitioner, the petition to have one joint inventor make the application for patent on behalf of the other joint inventor was mistakenly filed with the application papers.

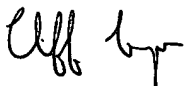
The Office is relying upon applicants' duty of candor and good faith. As set forth in 35 U.S.C. 1001, any willful false statements may jeopardize the validity of this application or any patent issued thereon.

In view of the **joinder** of the inventors, further consideration under 37 CFR 1.47(a) is not necessary and the petition is considered to be **moot**. This application does not have any Rule 1.47(a) status and no such status should appear on the file wrapper. This application need not be returned to this Office for further consideration under 37 CFR 1.47(a).

Applicants are reminded that unless a proper power of attorney or agent is filed, or unless there is an assignee of the entire interest, and such assignee has taken action in the case pursuant to 37 CFR 3.71, all papers submitted to the Office will need to carry the signatures of both inventors.

The application is being forwarded to Technology Center 3600, Group Art Unit 3644, for examination in due course.

Telephone inquiries concerning this decision may be directed to the undersigned at (703) 305-0272.



Cliff Congo
Petitions Attorney
Office of Petitions